THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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WRIT PETITION No.10269 of 2006

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DATED: 25-05-2006

Between:

G.Radha . . .Petitioner

And

The Dist. Collector, Warangal District, and others . . .Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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O R D E R:

The petitioner is the Sarpanch of Thirumalapur Village, Chityal Mandal, Warangal District. The District Collector, Panchayat Wing, Warangal District, the first respondent, issued a show cause notice, dated 21-12-2005, pointing out certain irregularities and directed the petitioner to submit her explanation. The petitioner, in turn, submitted her explanation on 28-12-2005. The first respondent called for a report from the District Panchayat Officer, Warangal, the second respondent, in the light of the explanation submitted by the petitioner. On receiving a report from the second respondent, the first respondent passed an order, dated 20-04-2006, suspending the petitioner for a period of three months in exercise of powers under sub-Section 6 of Section 249 of the Andhra Pradesh Panchayat Raj Act (for short "the Act'). The same is challenged in this writ petition.

Heard Sri A.Prabhakar Rao, the learned counsel for the petitioner and the learned Government Pleader for Panchayat Raj.

The action initiated against a Sarpanch under sub-Section 6 of Section 249 of the Act is almost a temporary measure. The Act mandates that even for such a course, the prescribed procedure has to be followed. In the instant case, the first respondent issued a detailed show cause notice to the petitioner. In response thereto, the petitioner submitted her explanation. The first respondent has called for a report by the second respondent. A detailed report, dated 29.03.2006, was submitted by the second respondent dealing with various charges as well as the explanation offered thereto. The first respondent, ultimately, passed an order suspending the petitioner for a period of three months.

Having regard to the nature of action taken against the petitioner, it cannot be said that the first respondent ought to have conducted any further enquiry in a greater detail. This Court is not inclined to interfere with the order under challenge.

The writ petition is accordingly dismissed. At any rate, the term of the petitioner is also coming to an end. There shall be no order as to costs.

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(L.NARASIMHA REDDY, J)

25th MAY, 2006.

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